

CITY COUNCIL MEETING
MARCH 22, 1989

PROPOSED NOISE
ORDINANCE INTRODUCED

ORD. NO. 1449
INTRODUCED

CC-6
CC-146
CC-149

The City Council introduced Ordinance No. 1449, entitled, "An Ordinance of the City Council of the City of Logan, Utah, Enacting a Noise Regulation Ordinance".

City Attorney McNatt apprised the City Council that the proposed ordinance is comprehensive, making provision for enforcement by both mechanical means (a decibel meter) and by objective criteria as determined by the listener. The ordinance may be enforced by either the Police Department or a member of the Community Development Department. The "public nuisance noise" portion of the ordinance addresses noise in general, and allows enforcement based on 11 specified criteria. This is the more general noise regulation and would require an assessment of the noise based on the statutory criteria. The nature, source and time of the noise would each be only single considerations in the overall evaluation. It would require a more involved report by the enforcing person, to accompany either the citation or crime report.

The second major segment (excessive, offensive or disturbing noise) is focused on mechanically or electronically amplified sounds such as car stereos, live bands, televisions, etc. located on public streets or rights of way, or in and around public parks. This section is enforceable based on a standard of clear audibility by a person of normal hearing at a distance of 50 feet.

In certain residential areas, between the hours of 10:00 p.m. and 7:00 a.m., a decibel meter may be used to regulate noise exceeding 5 decibels above the background sound levels.

An "animal noises" section is also provided to supplement the "barking dog" statute already found in the Municipal Code.

Exemptions are provided for certain activities such as sirens, emergency work, amplified sound generated by an activity licensed by the City and activities involving health or sanitation such as refuse collection.

Violation would be deemed an infraction punishable by a fine of up to \$250.00.